

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EDWARD R. NEWSOME §
VS. § CIVIL ACTION NO. 1:13cv509
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Edward R. Newsome, an inmate confined in the Clements Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Petitioner states that in 1986 he was convicted of unauthorized use of a motor vehicle in the 179th District Court of Harris County, Texas. He was sentenced to 39 years imprisonment.

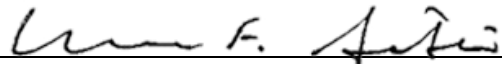
Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the federal judicial district in which he was convicted or the district in which he is incarcerated.

Petitioner's criminal conviction occurred in Harris County. Pursuant to 28 U.S.C. § 124, Harris County is in the Houston Division of the United States District Court for the Southern District of Texas. Moreover, petitioner is currently confined at the Clements Unit, which is in Potter County, Texas. Pursuant to Section 124, Potter County is located in the Amarillo Division of the United States District Court for the Western District of Texas.

As the above paragraph indicates, petitioner is neither incarcerated in, nor did his criminal conviction occur in, the Eastern District of Texas. As a result, this court lacks jurisdiction over the petition.

As petitioner was convicted in the Southern District, and as all records and witnesses involving this action may be located in the Southern District, this petition shall be transferred to the Houston Division of the Southern District. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 28 day of August, 2013.



KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE